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 8 Justice of California; Elwood G. Lui, Administrative  
 Presiding Justice of the California Court of Appeal,  
 9 Second Appellate District; and Mary J. Greenwood,  
 Administrative Presiding Justice of the California  
 10 Court of Appeal, Sixth Appellate District*

11 IN THE UNITED STATES DISTRICT COURT  
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 13  
 14

15 **PETER KLEIDMAN,**

16 Plaintiff,

17 v.

18 **JONATHAN GASKIN, et al.,**

19 Defendants.

4:22-cv-06355-HSG

**STIPULATION TO SET BRIEFING  
 SCHEDULE REGARDING MOTION TO  
 DISMISS BY JUDICIAL DEFENDANTS  
 (DOC 101); ORDER**

Date: September 7, 2023  
 Time: 2:00 p.m.  
 Dept: 2  
 Judge: The Honorable Haywood S.  
 Gilliam, Jr.

22 Pursuant to Local Rules 6-1(b) and 7-12, Plaintiff Peter Kleidman, *in pro per*, and  
 23 Defendants Patricia Guerrero, Chief Justice of California; Elwood G. Lui, Administrative  
 24 Presiding Justice of the California Court of Appeal, Second Appellate District; and Mary J.  
 25 Greenwood, Administrative Presiding Justice of the California Court of Appeal, Sixth Appellate  
 26 District (the "Judicial Defendants"), by and through their counsel in this matter, Deputy Attorney  
 27 General Megan A.S. Richards, enter into this stipulation to change the time for the parties to  
 28

1 submit briefing in response to the Judicial Defendants' Motion to Dismiss. The parties agree as  
2 follows:

3 The Judicial Defendants filed a Motion to Dismiss on June 6, 2023 (Doc. 101), and set the  
4 matter for hearing on September 7, 2023, at 2:00 p.m.

5 By local rule, Plaintiff's Opposition is due June 20, 2023.

6 The Motion to Dismiss raises numerous legal issues to which Plaintiff will need to respond.  
7 The motion seeks to dismiss the complaint on several grounds, including lack of Article III  
8 standing, Eleventh Amendment sovereign immunity and judicial immunity, the *Rooker-Feldman*  
9 doctrine, and failure to state a claim. The failure to state a claim arguments involve several  
10 different constitutional claims. The parties agree that the two week time period allowed for  
11 Plaintiff to respond under the local rule does not afford the Plaintiff sufficient time to research the  
12 issues and write a brief to submit to the Court.

13 Counsel for Judicial Defendants also has a conflict with the current briefing schedule. An  
14 opposition filed on the due date of June 20, 2023 would make the Judicial Defendant's reply due  
15 one week later, June 27, 2023. Counsel for the Judicial Defendants has a pre-paid family vacation  
16 June 16 through June 23, 2023, which would substantially overlap with the one week available in  
17 which to draft a reply brief.

18 Accordingly, the parties stipulate to the following deadlines:

19 Plaintiff's Opposition Brief: July 18, 2023

20 Defendants' Reply Brief: August 11, 2023

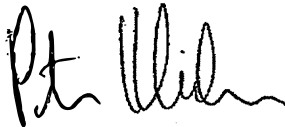
21 The parties believe this briefing schedule is compatible with the noticed hearing date of  
22 September 7, 2023 and will afford the parties sufficient time to adequately brief the issues for the  
23 Court.

24 In this case, the Judicial Defendants waived service of the First Amended Complaint under  
25 Rule 12, which afforded them additional time with which to respond to the complaint. Otherwise,  
26 as between the Judicial Defendants and the Plaintiff, the parties have not sought any previous  
27 time modifications in the case.  
28

Plaintiff has entered into stipulations with other Defendants in this case modifying briefing schedules related to the other Defendants' Motions to Dismiss, which the Court approved. *See* Doc. 81. Plaintiff and the other defendants in this case have also stipulated regarding the time to respond to the complaint and First Amended Complaint (Docs. 19, 21, 47), the time to respond to motions (Doc. 40, 65, 80), and to move the date of a Case Management Conference (Doc. 20).


IT IS SO STIPULATED.

Dated: June 12, 2023

By   
Peter Kleidman  
IN PRO PER

Dated: June 12, 2023

ROB BONTA  
Attorney General of California

By   
MEGAN A.S. RICHARDS  
Deputy Attorney General  
*Attorneys for Defendants*  
*Patricia Guerrero, Chief Justice of California;*  
*Elwood G. Lui, Administrative Presiding*  
*Justice of the California Court of Appeal,*  
*Second Appellate District; and Mary J.*  
*Greenwood, Administrative Presiding Justice*  
*of the California Court of Appeal, Sixth*  
*Appellate District*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 6/12/2023

  
HON. HAYWOOD S. GILLIAM, JR.  
Judge for the United States District Court,  
Northern District of California